

AGN. NO.

MOTION BY SUPERVISORS HILDA L. SOLIS
AND JANICE HAHN

July 30, 2019

Opposing the Interim Final Rule “Asylum Eligibility and Procedural Modifications”

The Federal Administration continues to fast-track cruel and inhumane immigration enforcement policies designed to confuse and inflict trauma on immigrants who are seeking refuge in the United States. An “interim final rule” published in the Federal Register on July 16, 2019, took immediate effect and dictates that immigrants who pass through another country en route to the U.S., but fail to apply for asylum in that country, are deemed ineligible for U.S. asylum. Under this new rule, immigrants must first seek asylum protection in another country before seeking asylum in the U.S. Before this rule took effect, the U.S. provided a legal right to anyone arriving at the border to claim protection by making a case that returning home would subject them to persecution.

The Administration’s reversal of longstanding U.S. asylum law will jeopardize the lives of hundreds of thousands of refugees who are fleeing dangerous conditions in countries such as Guatemala, Honduras, and El Salvador. According to a 2018 report by

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SOLIS _____

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the United Nations High Commissioner for Refugees, there were 294,000 refugees registered globally as of the end of 2017 from these three Central American countries alone, which are also three of the five countries with the highest murder rates in the world. The majority of those seeking asylum at the U.S.-Mexico border are women, unaccompanied minors, and families from Central America, but this rule would also impact increasing numbers of refugees from Africa who are escaping war-torn nations like Angola, Congo, and Cameroon.

In November 2018, the U.S. Department of Homeland Security and U.S. Department of Justice issued a rule seeking to ban asylum for those people entering the U.S. between ports of entry. To oppose that rule, Los Angeles County joined the City of Los Angeles' public comment and filed an amicus brief in *East Bay Sanctuary Covenant v. Trump* with the Ninth Circuit. The ruling in this litigation has thus far successfully blocked enforcement of that asylum ban, and it is on appeal in the Ninth Circuit.

The Los Angeles County Board of Supervisors has voted consistently to oppose harmful immigration enforcement policies proposed under the Federal Administration. Los Angeles County, which is home to 3.5 million immigrants, must continue to speak out against policies that infringe upon the human rights of immigrants and refugees.

WE, THEREFORE, MOVE that the Board of Supervisors:

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1. Direct the Chief Executive Officer/Legislative Affairs and Intergovernmental Relations to send a five-signature letter to the Attorney General of the United States, the Secretary of the U.S. Department of Homeland Security, and the Los Angeles County Congressional Delegation to declare the Board's opposition to the interim final rule "Asylum Eligibility and Procedural Modifications";
2. Direct County Counsel, in coordination with the Office of Immigrant Affairs in the Department of Consumer and Business Affairs, to draft a comprehensive comment opposing the interim final rule "Asylum Eligibility and Procedural Modifications" and to submit it during the public comment period; and
3. Instruct County Counsel to file an amicus brief and/or join as amicus any legal action challenging the interim final rule including, but not limited to, *East Bay Sanctuary Covenant v. Barr*, filed in California on July 16, 2019, and any other litigation aimed at challenging this rule, as deemed appropriate by County Counsel.

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HLS: jv